

Message Text

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FM AMEMBASSY SANTIAGO

TO SECSTATE WASHDC 2057

C O N F I D E N T I A L SANTIAGO 0790

EXDIS

EO 11652: GDS

TAGS:MASS, CI

SUBJECT: CHILE: IMMEDIATE ARMS REQUIREMENTS

REF: SANTIAGO 726

1. SUMMARY: AMBASSADOR REQUESTS HIGH-LEVEL CONSIDERATION OF ACTION REQUIRED TO FURNISH CHILE SUPPLEMENTAL MILITARY ITEMS, LARGELY ORDERED BEFORE ADOPTION OF FAA MILITARY ASSISTANCE BAN OF DEC 30, 1974, IN ORDER TO PERMIT CHILEAN ARMED FORCES TO OPERATE EQUIPMENT PREVIOUSLY DELIVERED OR CONTRACTED FOR. END SUMMARY.

2. I WOULD APPRECIATE HAVING THIS MESSAGE BROUGHT TO THE ATTENTION OF THE SECRETARY, UNDER SECRETARY MAW, AND ASSISTANT SECRETARY ROGERS.

3. AS YOU KNOW, BAN ON MILITARY ASSSTANCE TO CHILE INCLUDED IN FOREIGN ASSISTANCE ACT HAS BEEN HARD BLOW TO CHILEANS. ALTHOUGH THEY HAVE SO FAR REACTED WITH RESTRAINT, IT IS CLEAR THAT THEY BELIEVE WE ARE FORCING THEM TOWARD A HIGHLY UNPALATABLE CHOICE -- EITHER TO LIVE WITH THEIR MASSIVE ARMS INFERIORITY VIS-A-VIS PERU, OR TO CAST ABOUT FOR CRITICALLY NEEDED WEAPONS AND THE MONEY TO BUY THEM, FROM WHATEVER SOURCE AND REGARDLESS OF COST.

4. FIRST ALTERNATIVE SEEMS TO THEM IRRESPONSIBLY TO RISK DISMEMBERMENT OF NATIONAL TERRITORY. SECOND MAY INVOLVE THEM
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IN LIAISONS WITH GOVERNMENTS WITH WHICH THEY WOULD NOT

ORDINARILY BE INCLINED TO TRAFFIC. THERE IS A DANGER THAT IF PRESENT SITUATION PERSISTS, CHILEANS MAY DO THINGS WHICH IN LONG RUN BENEFIT NEITHER THEM NOR US. REFTEL ELABORATES ON THESE POINTS.

5. TO REVERSE THIS TREND DEFINITELY WILL REQUIRE RESUMPTION OF LIMITED MILITARY ASSISTANCE TO CHILE, THROUGH MODIFICATION OF US LAW. KEY TO THIS IS PROGRESS ON HUMAN RIGHTS FRONT; WHILE THERE HAS BEEN SOME IMPROVEMENT, IT IS STILL FAR FROM CLEAR THAT CHILEANS ARE AS YET WILLING TO CONTEMPLATE THE ENTIRETY OF WHAT THEY MUST DO TO MODERATE CONGRESSIONAL OPPOSITION. WE WILL CONTINUE OUR DISCREET EFFORTS TO ENCOURAGE PROGRESS FROM THIS END. SECRETARY'S TRIP MAY PROVIDE GREATER OPPORTUNITY IN THIS REGARD.

6. MEANWHILE, THERE ARE STEPS WE CAN TAKE TO CUSHION THE SHOCKS THE CHILEANS ARE EXPERIENCING AS THEY COME TO APPRECIATE THEIR PREDICAMENT. GENERAL LANGUAGE OF FOREIGN ASSISTANCE ACT BAN LEAVES OPEN A SMALL BUT SIGNIFICANT GREY AREA IN WHICH AS WE SEE IT USG HAS POWER TO GIVE OR WITHHOLD HELP THE CHILEANS NEED TO KEEP THEIR PRESENT MILITARY PROGRAMS MOVING AT A TOLERABLE, IF MINIMAL PACE. PROBLEM ARISES BECAUSE MILITARY ASSISTANCE BAN IN FOREIGN ASSISTANCE ACT OF DECEMBER 30, 1974, IS RETROACTIVELY EFFECTIVE TO BEGINNING OF FISCAL YEAR, JULY 1. QUESTION IS WHETHER SUPPLEMENTAL ARRANGEMENTS MADE IN SECOND HALF OF CALENDAR YEAR 1974, TO OUTFIT EQUIPMENT WHICH WAS ACQUIRED BEFORE JULY 1, CAN BE CONSTRUED AS AN ESSENTIAL PART OF ORIGINAL CONTRACTS.

7. FOLLOWING ARE SPECIFIC EXAMPLES:

A) NOT FORESEEING DRACONIAN TERMS OF ARMS BAN, CHILEANS IN MAY 1974 SIGNED CONTRACT FOR F-5E'S, THEIR ONLY PROSPECTIVE SUPERSONIC AIRCRAFT, WITHOUT SPECIFIC INCLUSION OF PROVISION FOR SIDEWINDER MISSILES AND OTHER PORTIONS OF PLANES' WEAPONS SYSTEM. ARRANGEMENTS FOR THESE WERE NOT MADE UNTIL AFTER JUNE 30. NOW THE CHILEANS FIND THEY MAY NOT BE ABLE TO ACQUIRE THE WEAPONS. WHAT GOOD, THEY ASK, WILL THE PLANES BE WITHOUT ARMAMENT; CERTAINLY THEY HAD INTENDED TO BUY THEM WITH ARMAMENT.

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B) BY THE SAME TOKEN, THE ORIGINAL CONTRACT FOR TRAINING FOR F-5'S PROVIDED FOR ONLY AN INITIAL INCREMENT; ADDITIONAL FUNDS FOR TRAINING WERE INCLUDED IN SUPPLEMENTARY AGREEMENTS REACHED AFTER JUNE 30. SAFETY OF FLIGHT AND UTILITY OF THE F-5'S WILL BE SEVERELY HAMPERED IF SUCH TRAINING MUST BE UNDULY CURTAILED.

C) SIMILAR DIFFICULTIES APPEAR TO HAVE ARISEN WITH RESPECT

TO THE PROVISION OF SPARE PARTS FOR TWO OLD US DESTROYERS
TRANSFERRED TO THE CHILEAN NAVY IN 1974. WITHOUT SUCH PARTS,
IT WILL NOT BE POSSIBLE TO KEEP THE DESTROYERS IN FULL OPERATION

D) THE A-37 AIRCRAFT PURCHASE PROGRAM MAY BE UNDERCUT THROUGH
FAILURE THUS FAR OF CHILEANS TO CONCLUDE ARRANGEMENTS FOR
MUNITIONS, TECHNICAL DATA, MODIFICATION KITS, AND SPARE PARTS.
WHILE NO CONTACTS HAVE TO OUR KNOWLEDGE BEEN SIGNED COVERING
THESE REQUIREMENTS, THEY CAN PLAUSIBLY BE CONSIDERED AS
ESSENTIAL ELEMENTS OF ORIGINAL A-37 PACKAGE.

8. ALTHOUGH THE FOREGOING PROBLEMS HAVE BEEN UNDER REVIEW
SINCE THE PRESIDENT'S SIGNATURE OF THE FOREIGN ASSISTANCE ACT
ON DECEMBER 30, I UNDERSTAND THAT THERE IS STILL NO DECISION
AS TO HOW THEY SHOULD BE HANDLED. I BELIEVE IT IS LOGICAL
AND REASONABLE TO BLANKET SUPPLEMENTAL ARRANGEMENTS MADE BETWEEN
JUNE 30 AND DECEMBER 30, 1974, WITHIN THE ORIGINAL CONTRACTS,
OF WHICH THEY FORM A NATURAL PART, AND TO DRAW THE LINE ON
FURTHER PURCHASES IN ACCORDANCE WITH THE LAW, AT THAT POINT.
FURTHER DELAY IN A DECISION ON THESE MATTERS, FOLLOWING UPON
THE LONG DELAYS EXPERIENCED BY THE CHILEANS THROUGHOUT CALENDAR
1974 IN CONNECTION WITH THEIR UNREMITTING EFFORTS TO PURCHASE
DEFENSIVE LAND ARMAMENT, CAN ONLY INCREASE THEIR DOUBTS
REGARDING OUR GOOD FAITH.

9. OBVIOUSLY, THE ARMS BAN PROVISION OF THE FOREIGN ASSISTANCE
ACT MUST BE RESPECTED AS LONG AS IT IS ON THE BOOKS. AT THE
SAME TIME, I WOULD HOPE THAT ITS GENERAL LANGUAGE MIGHT BE
INTERPRETED LIBERALLY, SINCE IT IS IN THE US INTEREST TO GIVE
TO THE CHILEAN ARMED FORCES THOSE MINIMUM ELEMENTS OF DETERRENCE
WHICH WILL ASSIST IN AVOIDING MILITARY CONFLICT BETWEEN
CHILE AND PERU. SUCH A CONFLICT, IN WHICH THE USSR AND CUBA
WOULD UNDOUBTEDLY ASSIST THE PERUVIANS, COULD RESULT IN A SHARP
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INTENSIFICATION OF IDEOLOGICAL STRIFE IN SOUTH AMERICA, AND
A GENERAL DECREASE IN BORDER STABILITY THERE. THE MILITARY
AID NOW CONTEMPLATED FOR CHILE IS DESIGNED TO FORESTALL THESE
CONTINGENCIES, AND IS NOT NEEDED OR INTENDED TO SUPPORT THE
PRESENT CHILEAN GOVERNMENT INTERNALLY.

10. I TRUST THAT WE MAY SOON INFORM THE CHILEANS THAT WE
CAN GIVE THEM WHAT THEY NEED TO FLESH OUT THE COMMITMENTS
LEGALLY MADE TO THEM WITH RESPECT TO ARMS SUPPLY PRIOR TO
PASSAGE OF THE FOREIGN ASSISTANCE ACT.
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